

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**CHAMBERS OF
JOSEPH A. DICKSON
UNITED STATES MAGISTRATE JUDGE**

**MARTIN LUTHER KING COURTHOUSE
50 WALNUT STREET
NEWARK, NJ 07101
(973) 645-2580**

Date: 11/30/10

**LETTER ORDER SCHEDULING CONFERENCE
IN AN ARBITRATION MATTER PURSUANT TO RULE 16**

**Re: Case Name: Mark Spitz v. Medco Health Solutions Inc., et al.
Civil Action No. 10-1159 (DMC)**

Dear Counsel:

A scheduling conference shall be conducted before the undersigned on **1/5/11 at 2:00 p.m.** in Courtroom 5A, Martin Luther King Courthouse Building, 50 Walnut Street, Newark, New Jersey. See Fed. R. Civ. P. 16 and General Rule 16A.1.

Counsel are advised that the early disclosure requirements of Fed. R. Civ. P. 26 will be enforced. Therefore, counsel shall immediately exchange the following information without a formal discovery request:

- identities of individuals likely to have knowledge of discoverable facts,
- documents and things in the possession of counsel or the party,
- identities of experts and their opinions,
- insurance agreements in force, and
- statement of the basis for any damages claimed.

At least fourteen (14) days prior to the conference scheduled herein, counsel shall personally meet and confer pursuant to Fed. R. Civ. P. 26(f), and shall submit a discovery plan to the undersigned not later than 72 hours prior to the conference with the Court. The discovery plan shall include (1) a brief summary of the claims and defenses; and (2) a proposed schedule for completing fact and expert discovery. The discovery plan may include a summary of the status of settlement negotiations.

Unless the parties stipulate otherwise, the case management order will limit the number of interrogatories (25 including subparts) and depositions (10) which each party may seek. See Rules 26(b) and 26(d).

At the conference, the Court will address scheduling of all motions. No motions shall be filed without prior leave of Court. If any motions have already been filed, please advise the Court immediately, in writing, regarding the nature of the motion and its present status.

At the conference, all parties who are not appearing pro se must be represented by counsel who shall have full authority to bind their clients in all pretrial matters. Clients or persons with authority over the matter shall be available by telephone.

Counsel for plaintiff(s) shall notify any party who hereafter enters an appearance of the above conference and forward to that party a copy of this Order.

The parties must advise this Court immediately if this action has been settled or terminated so that the above conference may be cancelled.

Failure to comply with the terms herein may result in the imposition of sanctions.

PLEASE NOTE that this action is subject to compulsory arbitration. Your attention is directed to the content of that Rule.

SO ORDERED.

s/ Joseph A. Dickson
JOSEPH A. DICKSON
United States Magistrate Judge

cc: Hon. Dennis M. Cavanaugh, USDJ